

GEOFFREY A. HANSEN
Acting Federal Public Defender
Northern District of California
SEVERA KEITH
Assistant Federal Public Defender
55 South Market Street, Suite 820
San Jose, CA 95113
Telephone: (408) 291-7753
Facsimile: (408) 291-7399
Email: Severa_Keith@fd.org

Counsel for Defendant WOLFENBARGER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY RAY WOLFENBARGER,

Defendant.

Case No. CR 16–00519 LHK

**MOTION TO WITHDRAW AS
COUNSEL; ~~PROPOSED~~ ORDER**

MOTION

The Federal Public Defender, by and through Assistant Federal Public Defender Severa Keith, hereby moves to withdraw as counsel for defendant Wolfenbarger in the above-captioned case. This motion is made for the following reasons:

On August 12, 2012, Mr. Wolfenbarger was convicted by jury of Count 1: Attempted Production of Child Pornography (18 U.S.C. §2251 (a) and (c)); Count 2: Attempted Coercion and Enticement of Minors (18 U.S.C. §2422(b)), and Count 3: Receipt of Child Pornography (18 U.S.C. 2252(a)(2)). Sentencing is scheduled for December 8, 2021.

///

1 On Saturday, December 4, 2021, Mr. Wolfenbarger indicated to me that he wanted new counsel
2 in this matter, citing hearing and trial performance as the reason he wanted new counsel. Because
3 Mr. Wolfenbarger desires to raise claims of ineffective assistance by the Federal Public Defender, it
4 is respectfully requested that the Federal Public Defender be relieved as counsel.

5
6 Dated: December 6, 2021

Respectfully submitted,

7 GEOFFREY A. HANSEN
8 Acting Federal Public Defender
9 Northern District of California

/S

10 SEVERA KEITH
11 Assistant Federal Public Defender
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~[PROPOSED]~~ ORDER

GOOD CAUSE APPEARING, upon motion of the Federal Public Defender, IT IS HEREBY ORDERED that the Federal Public Defender is relieved as counsel for defendant Johnny Ray Wolfenbarger in the above-captioned case.

IT IS SO ORDERED.

Dated: December 6, 2021



THE HONORABLE LUCY H. KOH
United States District Court Judge